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3 5 Attorneys for USACM Liquidating Trust

4 6 **UNITED STATES BANKRUPTCY COURT**
 7 **DISTRICT OF NEVADA**

8 In re:

9 USA Commercial Mortgage Company,

10 Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**NOTICE OF HEARING RE
 OBJECTION TO PROOF OF CLAIM
 NO. 10725-00367 BY BEADLE,
 MCBRIDE, EVANS & REEVES, LLP
 IN THE AMOUNT OF \$10,183.94.**

13 Date of Hearing: October 18, 2011

14 Time of Hearing: 1:30 p.m.

15 Estimated Time for hearing: 10 min.

16 THE USACM LIQUIDATING TRUST IS OBJECTING TO A CLAIM THAT
 17 YOU FILED. THE USACM TRUST SEEKS TO DISALLOW CLAIM
 18 NO. 10725-00367.

19 PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY
 20 COURT TO DISCUSS THE MERITS OF YOUR CLAIM. ADDRESS QUESTIONS
 21 REGARDING THE CLAIM TO UNDERSIGNED COUNSEL, JOHN
 22 HINDERAKER (520-629-4430).

23 NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust, by and
 24 through its counsel, has filed its Objection to Proof of Claim No. 10725-00367 filed by
 25 Beadle, McBride, Evans & Reeves, LLP (with Certificate of Service) (the "Objection").
 26 The first page of your Proof of claim as required by Nevada LR 3007, is attached to the



1 Objection as **Exhibit A**. The USACM Liquidating Trust has requested that this Court
2 enter an order, pursuant to section 502 of title 11 of the United States Code (the
3 "Bankruptcy Code") and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the
4 "Bankruptcy Rules"), disallowing your Proof of Claim in entirety because Beadle
5 McBride entered into a settlement agreement that included a mutual release of all claims.
6 The Court approved that settlement agreement by order dated December 9, 2008 [DE
7 6663].

8 **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held
9 before the Honorable Linda B. Riegle, U.S. Bankruptcy Court Judge in the Foley Federal
10 Building, 300 Las Vegas Blvd. South, 3rd Floor, Courtroom No. 1, Las Vegas, Nevada on
11 **October 18, 2011, at the hour of 1:30 p.m.**

12 **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON OCTOBER**
13 **18, 2011, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND**
14 **SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE**
15 **HEARD ON THAT DATE.**

16 **NOTICE IS FURTHER GIVEN** that pursuant to Local Rule 9014(d), any
17 response to the objection must be filed and service must be completed no later than
18 **fourteen (14) days** preceding the hearing date. The opposition must set forth all relevant
19 facts and any relevant legal authority.

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If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* and sustain the objection without formally calling the matter at the hearing.

Dated: September 15, 2011.

LEWIS AND ROCA LLP

By s/John Hinderaker (AZ 18024)
Robert M. Charles, Jr., NV 6593
John Hinderaker, AZ 18024 (*pro hac vice*)
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1 Copy of the foregoing mailed by first
2 class postage prepaid U.S. Mail on
3 September 15, 2011 to the following
4 parties:

5 Gary P. Sinkeldam
6 MAXIE RHEINHEIMER STEPHENS & VREVICH, LLP
7 618 South Seventh Street
8 Las Vegas, Nevada 89109

9 Thomas W. Davis, II
10 HOWARD & HOWARD
11 3800 Howard Hughes Parkway, Suite 1400
12 Las Vegas, Nevada 89169

13 Garth McBride
14 REEVES EVANS McBRIDE & ZHANG, LLP
15 2285 Renaissance Dr.
16 Las Vegas, Nevada 89119

17 LEWIS AND ROCA LLP

18 s/ Renee L. Creswell